

UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/715,895 Confirmation No.: 5269
Applicants: Jean-Louis Dasseux
Filed: November 17, 2003
TC/A.U.: 1639
Examiner: Shibuya, Mark Lance
Docket No.: 9196-030-999 (PC20700I)
Customer No.: 28880
Title: "Multimeric Apo A-I Agonist Compounds"

Commissioners for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This letter is in response to the Election of Species Requirement under 35 U.S.C section 121 mailed on June 26, 2006, in connection with the above application.

The Examiner has required the election of a species of lipid under 35 U.S.C §121. Applicants elect sphingomyelin as the species of lipid. The Examiner has also required that the Applicant indicate how the elected species reads upon the lipid of claims 59 and 60. Claim 59 includes peptide lipid complexes wherein the lipid is a saturated lipid or an unsaturated lipid or a combination thereof. Sphingomyelin is a monounsaturated lipid and therefore reads upon the language "combination". Claim 60 includes peptide-lipid complexes wherein the lipid is a natural lipid or a synthetic lipid. Sphingomyelin is a natural lipid and therefore reads upon the language "natural lipid".

The Examiner has required an election of species of disease for treatment for the methods of the claimed invention, as set forth in claim 71 – 79 under 35 U.S.C §121. The Applicants elect a method of treating cardiovascular disease.

As part of the species election, the Examiner has required the listing of claims that are readable upon the elected species. The claims that read upon the elected lipid species, sphingomyelin, are claims 58, 59, 60, 61, 62, 67, 68, 69, and 70. The claims that read upon the elected method species, the method of treating cardiovascular disease, are claims 72 and 79.

It is respectfully submitted that all of the claims are in condition for allowance. Notification to this effect is earnestly solicited. The Examiner is encouraged to contact the Applicants' undersigned attorney to discuss this matter if any questions should arise upon further examination of the pending claims.

Please address future correspondence to the undersigned attorney.

Respectfully submitted,

Date: July 26, 2006



Cynthia M. Bott, J.D., Ph.D.
Reg. No. 46,568
2800 Plymouth Road
Ann Arbor, MI 48105
Phone: 734-622-4476
Fax: 734-622-1553